

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS
HELD MONDAY, OCTOBER 18, 1999 AT 9:30 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry
L. Weeks, Chairman; Mr.
Joe Winkelmann, Vice
Chairman; Mr. Wilbur W.
Burton; Mr. James R.
Green, Jr.; Mr. David C.
Mangum; Mr. G. Robert
Lee, County
Administrator; Mr. Paul
S. McCulla, County
Attorney

Chairman Weeks acknowledged Talmage Reeves, Director of Economic Development.

**ADOPTION OF THE
AGENDA**

Mr. Winkelmann moved to adopt the Agenda with substitute resolutions for A Resolution to Authorize the County Administrator to Apply for a Loan from the Virginia Resources Authority and A Resolution Referring to the Planning Commission an Application to Amend Conditions Contained in the Luck Stone Corporation Special Exceptions. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

CITIZENS TIME

- Susan McDermott from the Cedar Run District urged the Board of Supervisors to publicly oppose the proposed racetrack in Prince William County. She submitted a

petition with signatures from Fauquier County residents opposed to the racetrack.

- Mary Ann Hanback from the Cedar Run District, representing the Nokesville Preservation Alliance, requested the Board of Supervisors adopt a resolution opposing the proposed equestrian racetrack located in Prince William County.
- Tom Harris, representing the Piedmont Environmental Council (PEC), presented postcards sent to PEC by 1,093 Fauquier County citizens expressing concern about the Virginia Power Peaking Facility being built in Remington and future power plants proposed for Fauquier County. They are asking the Board to hold a work session to discuss the implications of these power plants and request the Board to implement stronger policies to protect the County's air quality, water quality, and existing agricultural land uses.
- Jan Barbano, representing the Southern Fauquier Alliance (SOFA), presented a petition signed by 1,816 citizens of Fauquier County requesting the Board hold a work session regarding the Virginia Power Peaking Facility.
- Sid Whirley, a resident of The Plains, presented concerns provided by Bob Sowder to him about the proposed race track located in Prince William County.

CONSENT AGENDA

Mr. Mangum moved to adopt the following consent agenda items. Mr. Winkelmann seconded, and the vote was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

Approval of the Minutes of the October 4, 1999 Regular Meeting

A Proclamation in Recognition of Hunt Country Classic Soccer Tournament Weekend
November 19-21, 1999

PROCLAMATION

A PROCLAMATION IN RECOGNITION OF HUNT COUNTRY CLASSIC

SOCCER TOURNAMENT WEEKEND NOVEMBER 19 TO 21, 1999

WHEREAS, there are over 1,000 children between the ages of five and seventeen playing soccer in Fauquier County; and

WHEREAS, the Fauquier County Soccer Club (FCSC) has a mission of providing recreational opportunities for our youth in a safe environment; and

WHEREAS, the Fauquier County Board of Supervisors has recently funded the purchase of land to close the existing gap in recreational facilities; and

WHEREAS, the FCSC has an obligation to raise capital funds to build soccer fields on property that Fauquier County will be purchasing; and

WHEREAS, one of FCSC's methods to raise these capital funds is to hold tournaments; and

WHEREAS, the 4th HUNT COUNTRY CLASSIC Soccer Tournament will be held at several sites throughout the County this November 20th and 21st; and

WHEREAS, over 100 teams from throughout the Commonwealth of Virginia and its neighboring states will be coming to Fauquier for this event; and

WHEREAS, over 3,000 players, coaches, parents and referees will be visiting Fauquier County for this event; and

WHEREAS, these visitors will have a positive impact on the local economy – benefiting hotels, restaurants, and other merchants, as well as several non-profit organizations; and

WHEREAS, the HUNT COUNTRY CLASSIC is an annual celebration of youth soccer in Fauquier County; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of October 1999, That November 19 through November 22 be, and is hereby, recognized as HUNT COUNTRY CLASSIC weekend to call its significance to the attention of all citizens of Fauquier County.

A Resolution to Authorize a Public Hearing to Receive Citizens' Comments from Users of the Paris Water System Regarding an Increase in the Base Service Fee

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
ADVERTISE A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT
ON RECOMMENDED SCHEDULE OF RATES, FEES AND OTHER
CHARGES FOR PARIS WATER SYSTEM USERS BEGINNING FY 2001

WHEREAS, the County owns the Paris Water System, intended for the provision of public water services to the unincorporated Village of Paris, Virginia; and

WHEREAS, one of the Fauquier County Water and Sanitation Authority's chartered purposes is the acquisition, construction, operation and maintenance of water systems located within Fauquier County; and

WHEREAS, the County Board of Supervisors desires to deed the Paris Water System to the Fauquier County Water and Sanitation Authority; and

WHEREAS, the Fauquier County Board of Supervisors expects the users of the Paris Water System to contribute a fair share toward capital improvements to the system in order that the Fauquier County Water and Sanitation Authority will agree to acquire the system; and

WHEREAS, the Fauquier County Water and Sanitation Authority, in its desire to maintain equity among users, recommends an increase in the Monthly Base Service Fee component as the desired method to fund the user share of capital improvements; and

WHEREAS, an increase in user fees requires a public hearing in accordance with the County Code; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of October 1999, That the County Administrator be, and is hereby, directed to schedule a public hearing to receive citizen comments on the proposed fee increase.

A Resolution Authorizing the Virginia Department of Transportation to Erect "Children at Play" Signs on Routes 605 and 628

RESOLUTION

A RESOLUTION AUTHORIZING THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INSTALL AND MAINTAIN SIGNS ALERTING MOTORISTS
THAT CHILDREN MAY BE AT PLAY NEARBY

WHEREAS, Section 33.1-210.2 of the Code of Virginia, 1950, as amended, provides that the governing body of any county may, by resolution, request the Commissioner to install

and maintain signs alerting motorists that children may be at play nearby; and

WHEREAS, Vice Chairman Winkelmann, Center District representative on the Board of Supervisors, has requested that this Board authorize the installation and maintenance of "Children at Play" signs on Routes 605 and 628; and

WHEREAS, Section 33.1-210.2 provides that the cost of installing said signs shall be paid out of the secondary system construction allocation and that maintenance of said signs shall be paid out of the secondary system maintenance allocation to the affected county; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the Transportation Commissioner be directed to install and maintain "Children at Play" signs on Routes 605 and 628; and, be it

RESOLVED FURTHER, That the source of funding for the installation of the signs shall be the secondary system construction allocation to Fauquier County and maintenance of said signs shall be paid out of the secondary system maintenance allocation to Fauquier County.

A Resolution Approving the Clarke-Frederick-Winchester Regional Adult Detention Center's Use of its Fund Balance

RESOLUTION

A RESOLUTION APPROVING THE CLARKE-FREDERICK-WINCHESTER REGIONAL ADULT DETENTION CENTER'S USE OF ITS FUND BALANCE

WHEREAS, Fauquier County is a participant in the Clarke-Frederick-Winchester Regional Adult Detention Center; and

WHEREAS, Clarke-Frederick-Winchester Regional Adult Detention Center Board policy requires approval from all participating jurisdictions, including Fauquier County, for the Center to spend more than twenty-five percent of retained earnings; and

WHEREAS, the Superintendent of the Clarke-Frederick-Winchester Regional Adult Detention Center requests approval to use \$115,090 in retained earnings (exceeding the 25% limit) for telephone system replacement (\$40,000), generators upgrade (\$27,000), and eliminating the FY 1999 deficit (\$48,090); and

WHEREAS, the Finance Committee on October 4, 1999 reviewed the request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the Clarke-Frederick-Winchester Regional Adult Detention Center is hereby authorized to use \$115,090 in FY 1999 fund balance as specified above for upgrades to

the Center.

FY 1999 and FY 2000 Budget Transfers and Supplemental Appropriations in the Amount of \$636,522

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE

FUNDS IN THE AMOUNT OF \$636,522

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested for FY 1999 the appropriation of \$7,887 in State revenue from DMV Overtime Reimbursement and \$9,375 from Home Incarceration Fees for the Detention Center; and

WHEREAS, the Sheriff's Office has requested carryover funds to FY 2000 the appropriation of \$1,600 for Local Law Enforcement Block Grant, \$2,925 for Confiscated Property, \$256 for U.S. Customs, \$34,569 for DEA Group 33 Funds, \$7,403 for State Seizures and \$180,985 for vehicles; and

WHEREAS, the Sheriff's Office has requested \$32,151 for V-Stop Grant from State funds and \$1,994 for DEA Group 33 Overtime Reimbursement and \$8,420 for DEA Group 33 Share of Forfeiture Proceeds from Federal funds; and

WHEREAS, the Office of Management and Budget requested appropriation of carryover funds of \$13,000 for computers and a network printer, \$19,280 for School software maintenance charges and \$7,200 for parking lot rental from carryover funds; and

WHEREAS, the School Division requested appropriation of carryover funds for \$17,185 from Comprehensive Services Act (CSA) account as reimbursement for Special Education issues and \$81,305 from an asbestos settlement to be allocated in the Comprehensive Maintenance Plan; and

WHEREAS, Parks and Recreation requested appropriation of \$3,458 additional grant funds from carryover for Monroe Park; and

WHEREAS, the Board of Supervisors requested \$8,000 from carryover funds to cover the cost of a special report; and

WHEREAS, the County Administrator requested carryover funds appropriation of \$52,038 to cover construction costs at Lord Fairfax Community College and \$10,000 for the Fiscal Impact Model; and

WHEREAS, the Treasurer requested appropriation of carryover funds for outstanding FY 1999 expenses and training certification in the amount of \$11,603; and

WHEREAS, the Commissioner of the Revenue requested appropriation of carryover funds for modular office cubicles in the amount of \$15,000; and

WHEREAS, Community Development requested carryover funds appropriation of \$18,000 for Virginia Power Ground Water Management Plan, \$53,825 for other plan updates, \$9,466 for consultant fees and \$1,050 for rezoning proposal expenses; and

WHEREAS, the Piedmont Resolution Center requested appropriation of carryover funds from the J&D and Circuit Courts' budgets of \$3,000 to support increase in service requirements from the citizens of Fauquier County; and

WHEREAS, the Commonwealth's Attorney requested appropriation of \$16,547 from Federal and State funds for the Victim Witness Program; and

WHEREAS, the Circuit Court requested \$9,000 be appropriated from carryover funds to purchase three (3) copiers for the courts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the sum of \$636,522 be carried over, transferred or appropriated, and hereby approved as follows:

	<i>FROM</i>				<i>TO</i>		
Source	Code	Amount		Department	Code	Amount	
FY1999		\$7,887			4-100-31200-1201	\$7,887	
State Funds	3-100-244100-0045			Sheriff's Office			
Home Incarceration Fees	3-100-192000-0080	\$9,375		Sheriff's Office	4-100-33225-5410	\$9,375	
FY 2000	3-100-419000-0010	\$1,600		Sheriff's Office	4-100-31262-1101		
Carryover						\$1,600	
	3-100-419000-0010				4-100-31245-8201		

Carryover		\$2,925	Sheriff's Office		\$2,925
Carryover	3-100-419000-0010	\$256	Sheriff's Office	4-100-31235-8201	\$256
Carryover	3-100-419000-0010	\$34,569	Sheriff's Office	4-302-31230-8201	\$34,569
		\$7,403	Sheriff's Office	4-100-31240-8201	\$7,403
Carryover	3-100-419000-0010				
Carryover	3-100-419000-0010	\$180,985	Sheriff's Office	4-100-31200-8205	\$180,985
State Funds	3-100-241000-0190	\$32,151	Sheriff's Office	4-100-31261-1101	
				4-100-31261-2100	\$23,144
				4-100-31261-2210	\$1,575
				4-100-31261-2310	\$2,820
				4-100-31261-2400	\$2,472
				4-100-31261-2720	\$167
				4-100-31261-5510	\$135
				4-100-31261-5530	\$1,325
					\$513
Federal Funds		\$1,994	Sheriff's Office	4-100-31230-1201	\$1,994
	3-100-331000-0040				
	3-100-331000-0040	\$959	Sheriff's Office	4-100-31230-8201	\$959
Federal Funds					
		\$3,678	Sheriff's Office	4-100-31230-8201	\$3,678
Federal Funds	3-100-331000-0040				
Federal Funds		\$1,867	Sheriff's Office	4-100-31230-8201	\$1,867
	3-100-331000-0040				
Federal Funds		\$382		4-100-31230-8201	\$382
	3-100-331000-0040		Sheriff's Office		
Federal Funds		\$1,534		4-100-31230-1201	\$1,534
	3-100-331000-0040		Sheriff's Office		
Carryover		\$13,000	O.M.B.	4-100-12440-8207	\$13,000
	3-100-419000-0010				
Carryover		\$19,280	Information Resources		\$19,280
	3-100-419000-0010				

				4-100-12511-3320	
Carryover	3-100-419000-0010	\$7,200	Support Services Operations	4-100-43413-5420	\$7,200
Carryover	3-100-419000-0010	\$17,185	School Division	4-205-61100-3161-200-002-000	\$4,185
				4-205-61100-6013-200-002-000	\$5,000
				4-205-61100-8100-200-002-000	\$8,000
Carryover	3-205-189913-0001	\$81,305	School Division (Comprehensive Maint. Plan)	4-302-94200-6101	\$81,305
	3-302-419000-0010	\$3,458	Parks & Recreation		\$3,458
CIP Carryover				4-302-094710-8215	
Carryover	3-100-419000-0010	\$8,000	Board of Supervisors	4-100-11010-3160	\$8,000
Carryover	3-100-419000-0010	\$52,038	County Administrator	4-302-94651-8215	\$52,038
Carryover	3-100-419000-0010	\$10,000	County Administrator	4-100-11010-3170	\$10,000
Carryover	3-100-419000-0010	\$11,603	Treasurer	4-100-12410-6023	\$7,994
				4-100-12410-3175	\$370
				4-100-12410-3320	\$806
				4-100-12410-5530	\$1,724
				4-100-12410-5510	\$709
Carryover	3-100-419000-0010	\$15,000	Commissioner of the Revenue	4-302-94102-8212	\$15,000
Carryover	3-100-419000-0010	\$18,000	Community Development	4-100-81200-3160	\$18,000
Carryover	3-100-419000-0010	\$53,825	Community Development	4-100-81200-1302	\$50,000
	3-100-419000-0010	\$9,466	Community Development	4-100-81200-2100	\$3,825
Carryover				4-100-81400-3170	\$9,466
Carryover	3-100-419000-0010		Community Development	4-100-81200-3160	\$1,050

		\$1,050			
Carryover	3-100-419000-0010	\$3,000	Piedmont Dispute Resolution Center, Inc.	4-100-81600-5694	\$3,000
State Funds	3-100-244010-0050	\$16,547	Commonwealth's Attorney	4-100-12220-1302	\$12,000
				4-100-12220-1460	\$1,460
				4-100-12220-5210	\$180
				4-100-12220-5510	\$210
				4-100-12220-5530	\$210
				4-100-12220-5540	\$135
				4-100-12220-6001	\$1,350
				4-100-12220-8207	\$1,002
Carryover	3-100-419000-0010	\$9,000	Circuit Court	4-100-21100-3320	
				4-100-21200-3320	\$3,000
				4-100-21500-3320	\$3,000
					\$3,000
TOTAL		\$636,522			\$636,522

and, be it

RESOLVED FINALLY, That all remaining FY 1999 General County Government and School Division funds will revert to the fund balance.

Approval of the Urban Forestry Grant Application for Landscaping – Parks and Recreation

RESOLUTION

A RESOLUTION TO APPROVE AN APPLICATION FOR A COMMUNITY TREE PLANTING INITIATIVE GRANT

WHEREAS, the Virginia Department of Forestry has initiated a Community Tree Planting Initiative through its Urban and Community Forestry Program; and

WHEREAS, the Fauquier County Parks and Recreation Department has needs for tree planting in a number of different facilities; and

WHEREAS, the Department is proposing to specifically replace and plant new trees at junctures of existing trails and public roads along the Warrenton Branch Greenway and Rady Park; and

WHEREAS, these proposals correspond to the intent and objectives of the Community Tree Planting Initiative; and

WHEREAS, the Parks and Recreation Department has available donated funds, community in-kind donated services, in-house resources, and Town of Warrenton support to meet the required 50% match for this grant; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the Parks and Recreation Department be authorized to submit the Community Tree Planting Initiative Grant application to the Virginia Department of Forestry; and, be it

RESOLVED FURTHER That upon notice of award of the grant acceptance shall be granted by virtue of adoption of this resolution.

A Resolution to Authorize the Chairman to Sign the Local Workforce Investment Area Designation Request for Planning Districts 9 and 10

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN TO SIGN

THE LOCAL WORKFORCE INVESTMENT AREA DESIGNATION

REQUEST FOR PLANNING DISTRICTS 9 AND 10

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the Chairman be, and is hereby, authorized to sign the Local Workforce Investment Area Designation Request for Planning Districts 9 and 10.

A Resolution to Authorize a Public Hearing to Amend the Fauquier County FY 2000 Adopted Budget to Appropriate State Lottery Proceeds Received in FY 1999

RESOLUTION

A RESOLUTION AUTHORIZING A PUBLIC HEARING TO AMEND

THE FAUQUIER COUNTY FY 2000 ADOPTED BUDGET TO

APPROPRIATE STATE LOTTERY PROCEEDS RECEIVED IN FY 1999

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2000 Budget on March 26, 1999; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing the total budget; and

WHEREAS, the 1999 State General Assembly approved \$1,123,014 in FY 1999 lottery proceeds for Fauquier County to be used solely for educational purposes; and

WHEREAS, the Fauquier County School Board has requested that \$561,507 (50%) of the lottery proceeds be appropriated for construction, maintenance, technology or other expenditures related to modernizing classrooms; and

WHEREAS, the Fauquier County School Board has requested that \$561,507 (50%) of the lottery proceeds be appropriated for other one time expenses as recommended by the Superintendent to the School Board; and

WHEREAS, the General County Government Finance Committee has recommended that all of the lottery proceeds be appropriated to an account in the Capital Improvement Plan pending joint discussion and agreements regarding future School construction; and

WHEREAS, the Code of Virginia requires local jurisdictions to hold a public hearing for any amendment to the adopted budget exceeding the lesser of \$500,000 or 1% of the total budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the County Administrator be, and is hereby, directed to advertise a public hearing on the appropriation of \$1,123,014 in lottery proceeds.

A Resolution to Authorize a Public Hearing on Amendments to Chapter 11, Grading, Soil Erosion and Sedimentation, of the Code of Fauquier County to Comply with Title 10.1, Chapter 5, Article 4 of the State Law

RESOLUTION

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING ON AMENDMENTS

TO CHAPTER 11, GRADING, SOIL EROSION AND SEDIMENTATION, OF THE CODE OF FAUQUIER COUNTY TO COMPLY WITH TITLE 10.1, CHAPTER 5, ARTICLE 4 OF THE STATE LAW

WHEREAS, the Fauquier County Code, Chapter 11, is the ordinance that controls land disturbing activities in Fauquier County; and

WHEREAS, this ordinance is reviewed by the Virginia Department of Conservation and Recreation for compliance with the Virginia Erosion and Sediment Control Law; and

WHEREAS, the Virginia Erosion and Sediment Control Law was revised in 1996; and

WHEREAS, Chapter 11 of the Fauquier County Code was last revised in 1993; and

WHEREAS, changes to the Fauquier County Code require that a public hearing be held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That a public hearing be held for consideration of changes to Chapter 11 of the Fauquier County Code to bring it into compliance with the Virginia Erosion and Sediment Control Law; and, be it

RESOLVED FURTHER That this Board directs staff to schedule the public hearing for November 15, 1999, to consider the proposed housekeeping refinements to Chapter 11 of the Code of Fauquier County.

Waiver of Subdivision Ordinance – Michael J. Fisher

RESOLUTION

A RESOLUTION TO APPROVE WAIVER OF SUBDIVISION ORDINANCE FOR MICHAEL J. FISHER

WHEREAS, the applicant, Michael J. Fisher, wishes to obtain a waiver to Section 3-2A.6 of the Subdivision Ordinance to allow an administrative subdivision to be greater than 1,000 feet from a state road; and

WHEREAS, the request of Michael J. Fisher was reviewed by the Fauquier County Planning Commission at its September 30, 1999, meeting and the Commission unanimously voted to recommend approval of the subdivision waiver request; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the waiver to Section 3-2A.6 of the Subdivision Ordinance is hereby granted to allow for an administrative division to be greater than 1,000 feet from a state road.

RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD UPDATE – BRIAN DUNCAN

Brian Duncan, Executive Director of the Rappahannock-Rapidan Community Services Board, gave an update on activities of the Community Services Board.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR A LOAN FROM THE VIRGINIA RESOURCES AUTHORITY; TO ENTER INTO A SEWER LINE CONSTRUCTION AGREEMENT WITH THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY TO FUND THE CONSTRUCTION OF SEWER IMPROVEMENTS IN THE NEW BALTIMORE SERVICE DISTRICT; AND TO ENTER INTO OPEN SPACE LAND ACT AGREEMENTS RELATING TO THE TIMING OF DEVELOPMENT IN THE NEW BALTIMORE SERVICE DISTRICT

Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR A LOAN FROM THE VIRGINIA RESOURCES AUTHORITY; TO ENTER INTO A SEWER LINE CONSTRUCTION AGREEMENT WITH THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY TO FUND THE CONSTRUCTION OF SEWER IMPROVEMENTS IN THE NEW BALTIMORE SERVICE DISTRICT; AND TO ENTER INTO OPEN SPACE LAND ACT AGREEMENTS RELATING TO THE TIMING OF DEVELOPMENT IN THE NEW BALTIMORE SERVICE DISTRICT

WHEREAS, the Board of Supervisors (the "Board") of Fauquier County (the "County") has determined that it is in the best interest of the County to apply to the Virginia Resources Authority (the "VRA") for a loan in the amount of approximately \$2.8 million to finance the costs of constructing sewer lines and other necessary facilities in the New Baltimore Service District; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of the County to enter into an agreement with the Fauquier County Water and Sewer Authority (the "FCWSA") for the construction and ownership of the sewer lines and other necessary facilities to the New Baltimore Service District, said agreement to include such conditions as are hereinafter set forth; and

WHEREAS, the Board of Supervisors has determined it is in the best interest of the County to include in the aforesaid agreement with the FCWSA a provision prohibiting the Authority from requiring that persons purchasing sewer advanced connections to also purchase water connections; and

WHEREAS, it is the intent of the Board of Supervisors to repay the VRA loan through surcharges imposed by the FCWSA on persons connecting to the aforesaid sewer lines; and

WHEREAS, it is the intent of the Board of Supervisors that landowners who reside in the New Baltimore Service District and over whose property the sewer lines must pass shall not suffer increased real property tax increases if they do not intend to develop their property at this time; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the County Administrator is authorized and directed to take all actions necessary to prepare, submit and complete the application to the VRA for a loan in the amount of approximately \$2.8 million to finance the costs of constructing sewer lines and other necessary facilities in the New Baltimore Service District; and, be it

RESOLVED FURTHER, That the final terms and conditions of the loan, bonds, and related documents shall be subject to the approval of the Board; and, be it

RESOLVED FURTHER, That this resolution shall take effect only at such time as the FCWSA and the Vint Hill Farms Economic Development Authority (the "VHEDA") execute an agreement to transfer the treatment plant at Vint Hill Farms Station to the FCWSA and the FCWSA has commitments for at least \$468,000 in surcharges for connections; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to enter into a sewer construction agreement with the FCWSA to provide for the construction and operation of the aforesaid sewer lines and other facilities in the New Baltimore Service District, said agreement to be in substantial conformance with the following terms and conditions:

- a. The County will loan to the FCWSA an amount not to exceed \$2.8 million for the construction of the aforesaid sewer lines and other facilities provided that the County's obligation to loan said monies shall not arise until the FCWSA has taken ownership of Vint Hill Farms Station treatment plant from the Vint Hill Economic Development Authority and the County has received funding from the VRA;
- b. The FCWSA shall impose a surcharge on sewer availability fees for the purchase of sewer in New Baltimore sufficient to repay the monies loaned by the County to the FCWSA to construct the sewer line and other facilities in the New Baltimore Service District;
- c. The County's right to the monies collected by reason of the sewer availability fee surcharge shall be subordinate to the FCWSA presently existing obligations to the VRA; and
- d. The FCWSA shall not impose as a condition to purchasing sewer advanced connections in the New Baltimore Service District a requirement that the purchaser also purchase water connections;
- e. Such other terms and conditions as the County Administrator and County Attorney deem right and appropriate;

and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to enter into Open Space Land Act agreements pursuant to Section 10.1-1700 *et seq.* of the Code of Virginia, 1950, as amended, to lease development rights of persons over whose property the New Baltimore Sewer line passes for a period of time not less than five years in consideration of the annual payment of an amount to the landowner not to exceed any increase in the real property tax of the landowner's property resulting from the location of a sewer line on the property; and, be it

RESOLVED FINALLY That the Clerk to the Board of Supervisors is directed to make a copy of this resolution continuously available for inspection by the general public during normal business hours at the Clerk's office from the date of adoption hereof through the date of the issuance of the bonds.

REVISIONS TO DEPARTMENT OF COMMUNITY DEVELOPMENT FEE SCHEDULE

Mr. Winkelmann moved to adopt the following resolution. Mr. Green seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

TO CONSIDER REVISION TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT FEE SCHEDULE

WHEREAS, the Fauquier County Board of Supervisors is committed to supporting the Department of Community Development's efforts in thorough application review and enforcement of County Ordinances; and

WHEREAS, the Board of Supervisors requested that a consultant be hired to (1) prepare a telecommunications master siting plan for cellular, paging and associated carriers; (2)

update the Zoning Ordinance and Comprehensive Plan; and (3) review and provide technical recommendations on all telecommunication facilities special exception applications for Planning Commission and Board of Supervisors consideration, as well as site plans; and

WHEREAS, the consultant will charge a per special exception/site plan application review fee to the County for review of these applications; and

WHEREAS, the Board of Supervisors approved a supplemental appropriation in 1999, and an addition to the fiscal year 2000 budget, to fund a full time temporary Engineering/Environmental Technician; and

WHEREAS, the Engineering/Environmental Technician will spend a large portion of the work week on erosion and sediment control inspections, correspondence, and tracking; and

WHEREAS, fees for both the telecommunication special exception/site plan and the erosion and sediment control fees need to be increased to cover the costs of these application reviews and ordinance enforcement; and

WHEREAS, the County must administer the establishment, renewal, and increases/decreases in size of Agricultural and Forestal Districts pursuant to the Virginia Code; and

WHEREAS, the fee for withdrawal from an Agricultural and Forestal District is to partially cover public notice, legal advertising and processing costs; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, THAT the Board of Supervisors approve the proposed revisions to the Department of Community Development fee schedule, with an effective date of November 1, 1999, except for the telecommunication fees which are effective immediately.

- Add under Special Exceptions, Category 20 (telecommunication Facilities) with a fee of \$3,500.
- Add under Site Plans, a telecommunication facility site plan fee of \$1,500.
- Add under Site Plans in the Major Site Plan category a note which states this \$200 fee is for a telecommunication facility with an approved special exception application after the effective of this revised fee schedule.
- Under Technical Review & Permits, change the Land Disturbing maximum permit fee from \$2,000 to \$4,000, and the percentage of the E&S bond from 5% to 10%.
- Under Technical Review & Permits, add single family dwelling erosion and sediment control, with a proposed fee of \$50/dwelling unit.

- Add an Agricultural & Forestal District Withdrawal fee of \$50.

**A RESOLUTION IN OPPOSITION TO THE PROPOSED EQUESTRIAN RACE TRACK
LOCATED IN PRINCE WILLIAM COUNTY**

Mr. Burton moved to adopt a resolution to authorize a public hearing on the proposed equestrian racetrack located in Prince William County. Mr. Winkelmann seconded the motion.

After discussion, Mr. Mangum moved to amend the wording of the resolution opposing the racetrack to indicate "in opposition or support". Mr. Winkelmann seconded, and the vote for the amendment was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

The vote on the original motion to adopt the following resolution was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO
RECEIVE CITIZENS COMMENTS ON THE QUESTIONS

OF WHETHER THE FAUQUIER COUNTY BOARD OF SUPERVISORS

SHOULD ADOPT A RESOLUTION IN OPPOSITION OR SUPPORT OF THE PROPOSED
EQUESTRIAN RACE TRACK LOCATED IN PRINCE WILLIAM COUNTY

WHEREAS, the Equestrian Gaming Company and Virginia Turf Club, Inc., are seeking Special Use Permit approval from Prince William County to construct a thoroughbred horse race track facility with an adjoining simulcast facility which is proposed to contain a grandstand area accommodating a maximum of 2,000 patrons and employ approximately 150 people; and

WHEREAS, the location is adjacent to the Fauquier County/Prince William County boundary in an area of Fauquier County planned and zoned for rural agricultural uses; and

WHEREAS, the proposed use has been opposed by Fauquier County residents who live in the immediate area; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of October 1999, That the County Administrator be, and is hereby, authorized to advertise a public hearing to receive citizens comments on the question of whether the Board of Supervisors should adopt a resolution in opposition or support of the proposed equestrian race track located in Prince William County.

A RESOLUTION REFERRING TO THE PLANNING COMMISSION AN APPLICATION TO AMEND CONDITIONS CONTAINED IN THE LUCK STONE CORPORATION SPECIAL EXCEPTIONS TO PERMIT RESTRICTED USE OF A PRIVATE ROAD FOR DELIVERIES OF CONSTRUCTION PRODUCTS, TURBINES AND FUEL OIL TO THE VIRGINIA POWER PEAKING FACILITY LOCATED ON ROUTE 655 (LUCKY HILL ROAD)

Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;*

*Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David
C. Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

A RESOLUTION REFERRING TO THE PLANNING COMMISSION AN APPLICATION TO AMEND CONDITIONS CONTAINED IN THE LUCK STONE CORPORATION SPECIAL EXCEPTIONS TO PERMIT RESTRICTED USE OF A PRIVATE ROAD FOR DELIVERIES OF CONSTRUCTION PRODUCTS, AND TURBINES TO THE VIRGINIA POWER PEAKING FACILITY LOCATED ON ROUTE 655 (LUCKY HILL ROAD)

WHEREAS, the Board of Supervisors previously granted to the Luck Stone Corporation Special Exceptions 1212, 1590, 25690 and 27240 permitting Luck Stone Corporation to operate a quarry upon certain terms and conditions; and

WHEREAS, the terms and conditions of the special exceptions presently prohibit the use of a private road on the Luck Stone Corporation properties; and

WHEREAS, Fauquier County Board of Supervisors wishes to amend the special exceptions conditions to permit the restricted use of the aforesaid private road to permit the delivery of concrete, stone, asphalt, turbines and other construction materials to the Virginia Power Peaking Facility located on Route 656 to alleviate a safety issue associated with the use of Route 656 by heavy construction and industrial traffic; and

WHEREAS, the Luck Stone Corporation, as the owner of the property, has agreed to execute the application for the special exception in order to help alleviate the safety issue; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 18th day of October 1999, That the County Administrator be, and is hereby, directed to execute a special exception application on behalf of the Board of Supervisors of Fauquier County as the applicant, to amend the terms and conditions of Special Exceptions 1212, 1590, 25690, and 27240 to permit the restricted use of the private road located on the properties of Luck Stone Corporation which has a southern connection with Lucky Hill Road which is currently gated. The restricted use shall be for the delivery of concrete, stone, asphalt, turbines and other construction materials to the Virginia Power Peaking Facility located on Route 655 to alleviate a safety issue associated with the use of Routes 655 and 656 by

heavy construction and industrial traffic; and, be it

RESOLVED FURTHER, That the aforesaid application be, and is hereby, referred to the Fauquier County Planning Commission for consideration and action in accordance with the requirements of the Code of Virginia and the Fauquier County Zoning Ordinance; and, be it

RESOLVED FINALLY, That the County Administrator is hereby directed to schedule a public hearing at the Board's November 15th meeting to receive citizen comment on the proposed amendment of the terms and conditions of Special Exceptions 1212, 1590, 25690, and 27240 to add the following condition:

Condition __: Notwithstanding any other term or condition contained in Special Exceptions Number 1212, 1590, 25690 and 27240 restricted use of the private road located on the properties of Luck Stone Corporation is permitted for the delivery of concrete, stone, asphalt, turbines and other construction materials to the Virginia Power Peaking Facility located on Route 655 to alleviate a safety issue associated with the use of Route 655 and 656 by heavy construction and industrial traffic.

APPOINTMENTS

By unanimous consent, the following appointments were made:

Don Rose appointed to the Fauquier County Economic Development Advisory Council representing Manufacturing, At-large.

Ann Nelson appointed to the Fauquier County Economic Development Advisory Council representing Technology, At-large.

SUPERVISORS TIME

- Mr. Burton requested staff to compare to other counties the Personal Property Tax deadline including penalties and interest. He suggested that if Fauquier County is too stringent, maybe there could be a grace period of thirty days, then add penalties and interest.
- Mr. Mangum encouraged all to promptly submit nominations for Citizen of the Year awards, especially since three Supervisors are not returning.
- Mr. Mangum also stated that the dedication of the new Lord Fairfax Community College will be this Friday, October 22 at 2:00 p.m. and encouraged all to attend.
- Mr. Green said he attended a meeting for the first time in his 19 years and 9 months of being a Supervisor where absolutely nobody came; it was the Citizens Budget Forum. Other members commented that their Districts had no attendees either.

- Mr. Weeks also wanted to comment on the lack of citizen participation at the public Budget Forums. Sometimes when a meeting is advertised and no one comes, it is not always bad, and can be a sign that the people are content with the way the budget is being spent.
- Mr. Lee said that he gave Mr. Green a note on the status of the Historic Book and the portrait of the early Board will be in the historic book when it is published.
- Mr. Green said that he appreciated that this book has been 18 years in the making and Mr. Lee referred to it as only something you would put on the coffee table. He said it is a lot more than that, it is a history of all the places in the County, many of which have burned or gone, with renewed interest in history and Mosby.

With no further business, the meeting was adjourned.